

**Agreement between the Government of the United States of America
and the Government of Haiti regarding the Surrender of Persons to
the International Criminal Court**

The Government of the United States of America and the Government of Haiti, hereinafter "the Parties,"

Reaffirming the importance of bringing to justice those who commit genocide, crimes against humanity and war crimes,

Considering that the Parties have each expressed their intention to, where appropriate, investigate and prosecute war crimes, crimes against humanity, and genocide alleged to have been committed by their respective officials, employees, military personnel, and nationals,

Hereby agree as follows:

1. For purposes of this agreement, "persons" are current or former Government officials, employees (including contractors), or military personnel or nationals of one party.
2. Persons of one Party present in the territory of the other shall not, absent the express consent of the first Party,
 - (a) be surrendered or transferred by any means to any international tribunal for any purpose, unless such tribunal has been established by the UN Security Council, or
 - (b) be surrendered or transferred by any means to any other entity or third country, or expelled to a third country, for the purpose of surrender to or transfer to any international tribunal, unless such tribunal has been established by the UN Security Council.
3. When the United States extradites, surrenders, or otherwise transfers a person of Haiti to a third country, the United States will not agree to the surrender or transfer of that person by the third country to any international tribunal, unless such tribunal has been established by the UN Security Council, absent the express consent of the Government of Haiti.
4. When the Government of Haiti extradites, surrenders, or otherwise transfers a person of the United States of America to a third country, the Government of Haiti will not agree to the surrender or transfer of that person by the third country to any international tribunal, unless such tribunal has been established by the UN Security Council, absent the express consent of the Government of the United States.
5. This Agreement shall enter into force upon signature by both Parties. It shall remain in force until one year after the date on which one Party

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notifies the other of its intent to terminate the Agreement. The provisions of this Agreement shall continue to apply with respect to any act occurring, or any allegation arising, before the effective date of termination.

Done at Monterrey, in duplicate, on the twelfth day of January, 2004 in the English and French languages. In case of differences in interpretation, the English language text shall prevail.

For the Government of the
United States of America:

A handwritten signature in cursive script, appearing to read "Stephen Radeau".

For the Government of
Haiti:

A handwritten signature in cursive script, appearing to read "Jean-Benoît Chaboud".